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December 15, 2010

VIA ECFS

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, D.C. 20554

Re: *Preserving the Open Internet*, GN Docket No. 09-191; *Framework for Broadband Internet Service*, GN Docket No. 10-127; *A National Broadband Plan for Our Future*, GN Docket No. 09-51; *Developing a Unified Intercarrier Compensation Regime*, CC Docket No. 01-92; *Intercarrier Compensation for ISP-Bound Traffic*, CC Docket No. 99-68; *IP-Enabled Services*, WC Docket No. 04-36; *Connect America Fund*, WC Docket No. 10-90; *High-Cost Universal Service Support*, WC Docket No. 05-337; *Establishing Just and Reasonable Rates for Local Exchange Carriers*, WC Docket No. 07-135

Dear Ms. Dortch:

On December 14, 2010, Eric Einhorn, Jennie Chandra, and the undersigned, from Windstream Communications, Inc. ("Windstream"), met with Margaret McCarthy, Commissioner Michael J. Copps's Policy Advisor for Broadband, Wireline, and Universal Service. Consistent with its filings in GN Docket Nos. 09-191 and 10-127, Windstream urged that any open Internet regulations should apply equally to wired and wireless broadband services. Stricter regulation of wired broadband services will distort the competitive marketplace. Alleged differences between wired and wireless networks are at most matters of degree, not kind, and do not justify placing the technologies under different regulatory standards. Creation of separate regulatory silos for wireless and wireline will distort inter-platform competition, which is recognized in the attached articles that were provided to Ms. McCarthy.

Windstream argued that the need for parity and even-handed treatment of wireline and wireless broadband services will recur and should be addressed by the Commission now. In particular, Windstream cited the upcoming creation of the Connect America Fund to promote universal broadband and voice connectivity. The National Broadband Plan proposes to fund broadband deployment for one provider per high-cost area. Will we potentially see one network openness standard in one high-cost area, and a separate standard in a nearby area that has a different provider? Windstream asserted that if fixed broadband providers are subject to network

openness rules, these same rules must apply to any provider—including any mobile wireless provider—that offers broadband as a supported service pursuant to Section 254 of the Communications Act.

Consistent with its various statements in the above-referenced proceedings, Windstream also discussed the need for comprehensive, rational reform of the intercarrier compensation system and the universal service high-cost program, and expressed its continued support for the general framework set out in the National Broadband Plan. As an important first step toward reform, Windstream recommended that the Commission promptly issue an Order confirming that VoIP providers placing IP traffic over switched access facilities must pay jurisdictionalized access charges.

If you have any questions or need any additional information, please feel free to contact me.

Sincerely,

/s/

Malena F. Barzilai

Attachments

cc: Margaret McCarthy

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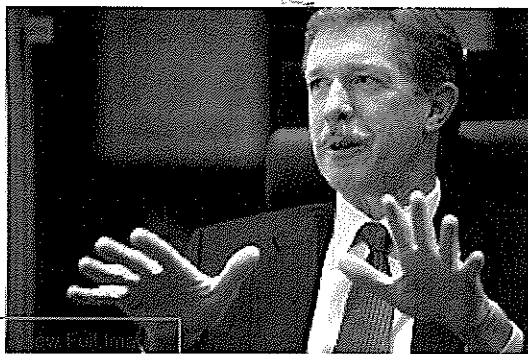
BOSS TALK | DECEMBER 13, 2010

New Verizon Wireless CEO Dashes Into 4G Service

By SHAYNDI RAICE and ROGER CHENG

Verizon Wireless's new chief executive, Daniel Mead, is pulling right into the fast lane.

Two months after he took the job Oct. 1, Verizon plunked down its biggest bet in years by launching an expensive new fourth-generation wireless broadband network. It promises super-fast Web surfing that will make it easier, for example, to watch video on smartphones and tablets.



Scott Gries for The Wall Street Journal

Verizon Wireless CEO Daniel Mead says the company's 4G technology is a 'practical' substitution for DSL.

Mr. Mead will have to cut through the noise from competitors claiming similar capabilities and persuade customers Verizon's is better. He will also have to keep Verizon's lead as the industry shifts to relying more on data services.

Then there are the reports that the country's largest wireless carrier, which has built a deep and lucrative relationship with Google Inc., might soon get to carry Apple Inc.'s iPhone. (A spokesman declined to comment.)

The job of sorting all that out falls to a low-profile leader, typical for a company that despite its splashy marketing campaigns tends to

promote executives quietly from within. Mr. Mead has served as an executive at the company since it was created as a joint venture of Verizon Communications Inc. and Vodafone Group PLC a decade ago—usually in jobs where he is deep in the details of making it all work.

He likes speed, as evidenced by his passion for watching motor sports as well as the IndyCar series trophy given to him by racer Will Power and displayed prominently in his office. (Verizon Wireless sponsors the driver and his team.)

Mr. Mead recently spoke with The Wall Street Journal.

Excerpts:

WSJ: How is your 4G technology, called Long-Term Evolution, different from existing networks?

Mr. Mead: LTE is an enormous investment for us. We're covering over a third of the country right now. As we get out through 2012, we'll have about 85%. The difference is speed, quality and improvement in the latency.

WSJ: How are you going to distinguish your 4G from rival technologies?

Mr. Mead: The quality of the network is paramount for us. It was clear to us that LTE was a superior technology. I spent some time running wireline [landline] and FiOS [Verizon's high-speed home Internet and television business], and wireless is going to offer a tremendous breadth of capabilities for substitution.

WSJ: So are you saying LTE could serve as a replacement for wireline services?

Mr. Mead: It is a very practical and encouraging substitution for DSL, particularly when you look at rural markets.

WSJ: What's your vision of the future for mobile devices?

Mr. Mead: I think the world for the next few years is going to be more around tablets and smartphones. I think we'll see netbooks come under a little bit of pressure and maybe PCs a little, but still those categories will be in the lineup. I know that I have pretty much stopped carrying a PC around. I have a tablet and smartphone.

WSJ: Which tablet do you carry?

Mr. Mead: All of them. I had access to the iPad a little earlier than I had access to the [Samsung] Galaxy [Tab], but we're using both of them. I wrestled them away from my wife, because she uses them as well.

WSJ: Where do you see the company five years from now?

Mr. Mead: I feel like we're hitting another growth spurt. I think we should be thinking 300% to 400%-plus penetration [with three to four devices per person].

WSJ: Where will the revenue come from?

Mr. Mead: I do not see voice revenue evaporating. We may deliver it in different ways—think about [Internet-based voice service] and capabilities that are enabled by the LTE network—but people are going to need to talk to each other. We're also very pleased with our small and medium business growth and our enterprise growth.

WSJ: What are your thoughts on data pricing?

Mr. Mead: We've tried some things recently. We're very encouraged [by the holiday offer of a \$15 data plan]. We have not moved in terms of unlimited for consumers in the \$30 price point. Some day we may consider metered pricing. We haven't made any final decisions there yet.

WSJ: Would you consider a "family plan" for data?

Mr. Mead: We've shared voice minutes and text messages for the family. I think it's fully in the realm of possibility in the not-to-distant future to be able to start thinking through the options.

Describe it as account-level pricing. How do we get to 300%-400% penetration? That's a vehicle to get there.

Write to Shayndi Raice at Shayndi.Raice@wsj.com and Roger Cheng at roger.cheng@dowjones.com

Revenue, in billions		Net Income, in billions		Employees	
2009*	2010*	2009*	2010*	2009*	2010*
\$46.4	\$47.8	\$10.9	\$12.3	84,000	80,000

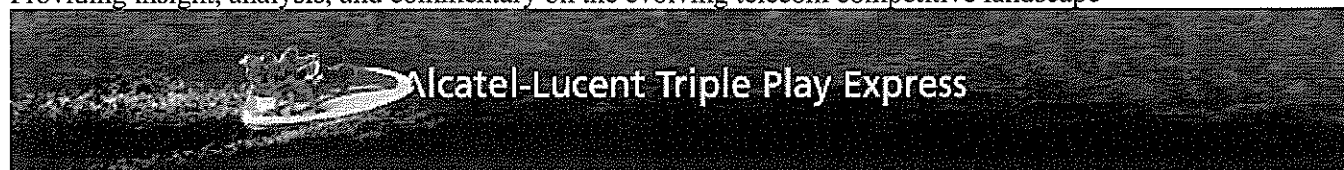
Verizon Wireless *For the nine months ended Sept. 30

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Clearwire: Go Ahead, Cut the Wireline Broadband Cord

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Clearwire today announced the introduction of Clear Modem with Wi-Fi, a combination wireless broadband modem and Wi-Fi access point. With broadband connections to Clearwire's expanding CLEAR 4G network, the book-sized device delivers Internet access at 3-6Mb/s with bursts up to 10Mb/s and simplifies setting up wireless local/home area networks making use of IEEE 802.11 b/g/n, according to a news release.

Priced for purchase at \$120 or leased for \$7/month, the Clear Modem with Wi-Fi is now available online as well at CLEAR retail outlets and those of authorized dealers. Monthly unlimited data service plans start at \$35/month. For another \$15/month, customers can add home voice service with unlimited local and long distance calling in the US, Canada and Puerto Rico.


The new device is the latest in Clearwire's "wireless connectivity everywhere" drive as it strives to justify wireline broadband cord-cutting in US homes. "Now our customers can get broadband Wi-Fi internet throughout

their house, with one simple device about the size of a book – and without a rat's nest of wires,” Mike Sievert, chief commercial officer, was quoted as saying. “Our new Clear Modem with Wi-Fi makes it easier than ever to connect the Wi-Fi devices that customers already have at home, such as laptops and desktops, tablets, iPods, and smartphones, without needing a wired connection to the cable or phone company.”

The broadband modem/wireless access point is one of nearly 70 devices on the market that provide access to the CLEAR 4G network, according to Clearwire. These include personal mobile Wi-Fi access points dubbed Clear Spots and the Clear 4G+ Mobile USB plug-in, as well more than 45 different laptops and netbooks with embedded WiMAX chips.

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
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Tesla_X · 5 days ago

This would be a good deal if they didn't have this going on:

http://forums.clear.com/clearcom/topics/my_discou...

This entry in particular caught my attention:

vangoghaap commented on November 29, 2010 15:27

Clear at-home WiMAX users are now up in arms over apparent throttling on certain accounts. As the story goes, it seems as if the company is pulling back on upload and download speeds (from 10Mbps to around 0.25Mbps) for users who have consumed between 7GB and 10GB in a month, which is comically low even compared to Comcast's hated 250GB / month usage cap. Forum users are finding customer service lines to be no help whatsoever, and some digging has found that this may all be a part of a network traffic administration program that's ongoing within Clearwire.

If this is NOT true then Clearwire needs to state this categorically (and in their TOS) that there is no usage cap.

Otherwise, I see no need to dump providers like my ATT or my relative's Wildblue Sat subscription anytime soon.

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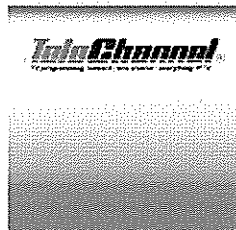
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